



THE CITY OF NEW YORK
LAW DEPARTMENT
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 NEW YORK, N.Y. 10007

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USDS SDNY
 DOCUMENT
 ELECTRONICALLY FILED
 DOC #:
 DATE FILED: **AUG 28 2008**

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August 27, 2008

BY FAX: (212) 805-6304
 Honorable Paul A. Crotty
 United States District Judge
 Southern District of New York
 500 Pearl Street
 New York, New York 10007

Re: Maria Espinoza v. City of New York, et al., 08 CV 5159 (PAC)

Your Honor:

I am an Assistant Corporation Counsel in the Special Federal Litigation Division of the New York City Law Department handling the defense of this action on behalf of defendant City of New York. I am writing with the consent of plaintiff's counsel, Fred Lichtmacher, Esq., to request a two week enlargement of time, until September 10, 2008, within which this office may answer the amended complaint. This is the City's second request for an enlargement of time in this action. Previously, the Court granted defendants an extension until August 25, 2008.

The plaintiff alleges, *inter alia*, that she was subjected to false arrest and unlawful strip search, in violation of her constitutional rights. In addition to the City of New York, plaintiff also names Sgt. De Benedetta¹, Police Officer Christian Perez, and Police Officer Eric Rodriguez. All of the defendants have been served. However, pursuant to 50-k of the New York General Municipal Law, this office is still determining, based on a review of the case, whether we may represent the individually named defendants. This is especially true of Sgt. De Benedetta, who was only recently served.

While defendant have been moving quickly, an additional two weeks would permit defendants time to sort out the remaining representation issues and then file a single answer to the amended complaint.

¹ Defendants provided plaintiff with the correct name and service address for Sgt. De Benedetta, which necessitated amending the complaint.

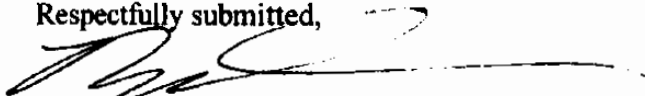
MEMO ENDORSED

ENDORSED

In view of the foregoing, it is respectfully requested that the Court grant the within request extending the City's time to answer or otherwise respond to the complaint until September 10, 2008.

Thank you for your consideration in this regard.

Respectfully submitted,



Brian G. Maxey (BM 0451)

BY FAX: (212) 922-9077

Fred Lichtmacher, Esq.
Attorney for Plaintiff

SO ORDERED: AUG 28 2008



HON. PAULA A. CROTTY
UNITED STATES DISTRICT JUDGE